

McFay

Interview Summary

Application No.

09/108,673

Applicant(s)

Teng et al

Examiner

William Sandals

Group Art Unit

1636



All participants (applicant, applicant's representative, PTO personnel):

(1) William Sandals

(3) _____

(2) Paul Legaard, Esq.

(4) _____

Date of Interview Sep 6, 2001

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy is given to 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:

Claim(s) discussed: all active claims

Identification of prior art discussed:

US 5,994,062 and WO 97/05903

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

It was agreed that the prosecution would be reopened with a new rejection under 35 USC 103 to incorporate the obviousness of a combination of references to make obvious two fatty acids in the composition and methods of the claims.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Hel 77

Interview Summary

Application No.

09/108,673

Applicant(s)

Teng et al

Examiner

William Sandals

Group Art Unit

1636



All participants (applicant, applicant's representative, PTO personnel):

(1) William Sandals

(3) _____

(2) Paul Legaard, Esq.

(4) _____

Date of Interview Jul 12, 2001

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy is given to 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:

Claim(s) discussed: all active claims

Identification of prior art discussed:

US 5,994,062 and WO 97/05903

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

We discussed the meaning of the term "fatty acid". It was agreed that the term fatty acid referred only to a structure which is biochemically defined as a fatty acid, and no modification of a fatty acid is permitted within the definition of the term "fatty acid" as construed in the claims. This being the case, the rejection of the claims was not appropriate as set forth in the Final Office Action, mailed on June 15, 2001.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Interview Summary

Application No.
09/108,673

Applicant(s)

Teng et al

Examiner

WILLIAM SANDALS

Group Art Unit

1636



All participants (applicant, applicant's representative, PTO personnel):

(1) WILLIAM SANDALS

(3) Niel Bartfeld, Esq.

(2) Paul Legaard, Esq.

(4) _____

Date of Interview Jul 12, 2001

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy is given to 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:

Claim(s) discussed: all

Identification of prior art discussed:

WO 97/05903 and US 5,994,062

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

We discussed the chemical nature of a fatty acid mono and diglyceride. It was agreed that this chemical did not meet the precise definition of 'fatty acid'. We discussed the possibility of limiting the claims to "antisense" to avoid the enablement rejection. We discussed the issues related to 35 USC 112, second paragraph.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.